

REMARKS

Claims 1-9 are all the claims pending in the application. New claim 9 has been added. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

Specification

The Examiner asserted that the phrase “mechanisms are moved slide on abutment slopes” on lines 7-8 of the Abstract is unclear. Accordingly, Applicants have amended the Abstract of the Disclosure so as to remove the informality.

Claim Rejections - 35 U.S.C. § 112

The Examiner rejected claims 2, 3, and 5-8, under §112, 2nd paragraph, as indefinite. The Examiner set forth specific instances of alleged indefiniteness in items 1.1-1.5 on page 2 of the January 27, 2006 Office Action. In response, Applicants respectfully traverse this rejection in part, and have amended in part.

With respect to item 1.1, Applicants respectfully traverse this rejection. That is, “a surface plate” is a term of art, and would readily be understood by one of ordinary skill. By way of non-limiting example, a surface plate is a thing having a flat surface, which is a reference surface for inspecting deviation from flatness, or is a reference surface for measuring or assembling members thereon. Accordingly, Applicants’ use of “surface plate” is believed to be in full compliance with §112, 2nd paragraph.

With respect to items 1.2-1.5, Applicants have amended the claims in a manner believed to overcome this rejection.

Claim Rejections - 35 U.S.C. § 103

- The Examiner rejected claims 1-3 and 8 under §103(a) as being unpatentable over US Patent 6,120,609 to Selyutin (hereinafter Selyutin) in view of US Patent 4,726,689 to Pollock

(hereinafter Pollock). Applicants respectfully traverse this rejection because the references fail to teach or suggest all of the elements as set forth in the claims.

In Selyutin, there is disclosed a self alignment lift mechanism in which moving only in a vertical direction is allowed.

On the other hand, a positioning device as presently claimed allows horizontal movement, i.e., wherein the clearance between the base and the casing remains constant. On page 9, line 4, it is described that “the moving block 130 can move in the direction normal to the sheet of Fig. 1 (or upward and downward of Fig. 2).” In addition to the horizontal movement, the moving portion as presently claimed is allowed to move in a vertical direction by the adjusting support mechanism.

Therefore claim 1 arrangement is completely different than the lift pin arrangement of Selyutin. Moreover, Pollock fails to cure the above-described deficiency in Selyutin. Therefore, the present invention is not rendered obvious by Selyutin and Pollock.

For at least any of the above reasons, claim 1 is not rendered obvious by Selyutin in view of Pollock. Likewise, the dependent claims 2, 3, and 8 are not rendered obvious by the Examiner’s attempted combination of Selyutin and Pollock.

- The Examiner rejected claims 4-7 under §103(a) as being unpatentable over Selyutin in view of Pollock and either one of US Patent 5,073,912 to Kobayashi (hereinafter Kobayashi) and US Patent 2,908,472 to McDonald (hereinafter McDonald). Applicants respectfully traverse these rejections because the references fail to teach or suggest all of the elements as set forth in the claims.

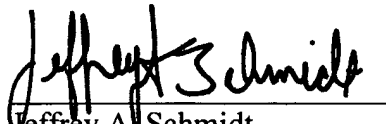
As noted above, the Examiner’s attempted combination of Selyutin and Pollock is deficient. Each one of Kobayashi and McDonald fails to cure these deficiencies. Accordingly, for the sake of argument alone, even if one of ordinary skill in the art were motivated to combine Selyutin and Pollock with either one of Kobayashi and McDonald, any such combinations would still fail to teach or suggest all of the elements as set forth and arranged in the claims.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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